



DN/FONSI

ELKHORN



Montana Fish,
Wildlife & Parks



COOPERATIVE MANAGEMENT AREA

ELKHORN STEERING COMMITTEE

♦ UNIT MANAGERS

♦ IMPLEMENTATION GROUP

August 14, 1995

B-1

Hello:

Please find enclosed the Decision Notice and Finding of No Significant Impact (FONSI) for the Elkhorn Mountains Travel Management Plan. As you know, the Forest Service and the Bureau of Land Management (BLM) have been working on this plan for several years. In January of this year, we issued the Environmental Assessment (EA) and asked the public to comment on the 4 alternatives that were analyzed in the EA. We received many comments and used them, along with the analysis in the EA, to arrive at a final decision.

The Decision Notice and FONSI has several parts. The decision includes both a map and text. There are also several appendices to the Decision Notice and FONSI. Appendix A is a letter from Montana Department of Fish, Wildlife and Parks. The Department was a cooperator in this project and the letter explains their involvement and support. Appendix B is not attached. Appendix B is the "Response to Comments" which summarizes all the comments we received on the EA and explains how those comments were used in the decision-making process. It is available from any of the offices listed below. Appendix C is an amendment to the Helena National Forest Plan. This travel plan decision requires that both the Helena Forest Plan and the BLM Headwaters Resource Management Plan (RMP) be amended. The RMP amendment is in the Decision Notice text.

If you have any questions on the decision, please call any of the following:

Charlie McKenna, Helena Supervisor's Office (449-5201)
Dennis Hart, Helena Ranger District (449-5490)
George Weldon, Townsend Ranger District (266-3425)
Grant Godbolt, Jefferson Ranger District (287-3223)
Merle Good, Headwaters Resource Area, Butte (494-5059)

CHARLIE MCKENNA
ID Team Leader
Elkhorn Travel Plan

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DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

ELKHORN MOUNTAINS
TRAVEL MANAGEMENT PLAN

Broadwater, Jefferson and Lewis & Clark Counties, Montana

USDI BUREAU OF LAND MANAGEMENT
BUTTE DISTRICT
HEADWATERS RESOURCE AREA

USDA FOREST SERVICE
HELENA NATIONAL FOREST
DEERLODGE NATIONAL FOREST

AUGUST 1995

advised

I. INTRODUCTION

The Forest Service and the Bureau of Land Management (BLM) have made a "Decision" to revise and update existing travel management in the Elkhorn Mountains on approximately 160,000 acres of National Forest lands and 75,000 acres administered by the Bureau of Land Management.

This is a cooperative project between the Helena and Deerlodge National Forests and the Bureau of Land Management (BLM), Headwaters Resource Area. The Proposed Action, environmental analysis, and Decision were developed in collaboration with the Montana Department of Fish, Wildlife and Parks (MDFWP). Appendix A includes a letter from MDFWP documenting their participation and support of the Decision.

Implementation of the Decision would require publication of formal orders and a visitor map to display restrictions and open areas. Rationale and dates for road, trail and/or area closures would be consistent across the mountain range. Signs would also be consistent for all of the roads and trails in the area regardless of agency administration.

This Decision Notice represents the culmination of joint planning and analysis conducted for the BLM and Forest Service - administered lands. Both Agencies coordinated closely with the Montana Department of Fish, Wildlife and Parks throughout the analysis because of the high wildlife values and the designation of the Forest Service portion of the Elkhorns as a Wildlife Management Unit. Although the issuance of joint decisions has not traditionally been done, both the BLM and Forest Service agree that providing one decision is appropriate to reflect the collaborative effort in this project. Hopefully, the issuance of this joint document will permit reviewers to better understand the total benefits and impacts resulting from this effort.

This decision addresses travel restrictions; no ground disturbing activities are proposed. Amendments to the Headwaters Resource Management Plan (RMP) will be necessary to implement the Decision on BLM land. Amendments to the Helena Forest Plan will also be necessary to implement the Decision on National Forest System lands.

In connection with the decisions on travel management, the Forest Service proposes to amend the Helena Forest Plan to change Elkhorn Management Area direction language under "Recreation and Facilities" to better reflect "on-the-ground" resource conditions and facilitate accomplishment of Forest Plan goals and objectives for the area.

The Forest Plan amendment will change the language related to motorized vehicle travel to reflect the more site specific effects and actions identified during implementation of Forest Plan direction through the travel management effort discussed in this Decision Notice and documented in the Elkhorn Mountains Travel Management Plan Environmental Assessment (EA). This Forest Plan amendment is identified as Helena National Forest Land and Resource Management Plan Amendment No. 10 and is included in Appendix C of this Decision Notice. The Forest Service also proposes to amend the Helena Forest Plan open road density (ORD) standard for the Sheep Creek and Kimber elk herd units. This Forest Plan amendment is identified as Helena National Forest Land and Resource Management Plan Amendment No. 11 and is also included in Appendix C of this Decision Notice. No ground disturbing activities are proposed in conjunction with these Forest Plan amendments.

The planning regulations and Forest Service policy permits Forest Plan amendments resulting from analysis conducted during Forest Plan implementation (36 CFR 219.10(f) and FSM 1922.5). The need for a change in Forest Plan language and a Forest Plan amendment was determined through the site specific travel management analysis and associated ground inspections by Interdisciplinary Team members. This analysis reflects a more intensive survey of the area than was possible during the Forest Plan development.

This travel plan decision amends the BLM Headwaters RMP in that Management units 7, 8, 9, 10 and 36 will be changed from "open" to permit consideration for organized motorized events to "closed"; Management Units 7, 8, 10, 15 and 34 will be reclassified from "open" to "restricted" to general motorized travel. These changes and the rationale were described in Chapter 2, page 7 of the Elkhorn Mountains Travel Plan EA.

II. DECISION

Our decision is to implement a modified version of Alternative 4. Alternative 4 is described on pages II-4 through II-7 and II-9 through II-10 (and on the Map) of the Elkhorn Mountains Travel Management Plan EA. This alternative was developed to respond to the issue of motorized recreational opportunities and included specific suggestions presented by several groups during the public scoping process. Alternative 4 included motorized use on routes that were specifically brought forward as concerns in the public scoping effort and also featured hunting season game retrieval routes.

The modifications to Alternative 4 are as follows:

NOTE: Trail 115 (Beaver Creek) and Trail # 127 (Turkey Track) were identified in the EA (page II-10 and Alternative 4 map, respectively) as motorized trails. This was an error. These trails are currently non-motorized trails and this Decision will not change their status.

A. Winter Range Protection

- 1) No provision will be allowed for snowmobiles in the Crow Creek drainage. No motorized traffic will be allowed during the winter months on the Weasel Creek Road.
- 2) Spur roads on BLM lands in the Kimber Gulch area and spur routes off the BPA road between Wood's Gulch and Cabin Gulch will be closed from December 2 - May 15. Designated routes south of the Johnny Gulch Road on BLM lands will also be closed from December 2 - May 15.
- 3) The Queen's Gulch Road (#8578) from the Leslie Lake Trailhead to the Skyline Mine will be closed to motorized use from December 2 - May 15.
- 4) The Tacoma Gulch Road (#8539) will be closed from October 15 - May 15, but with allowances for motorized hunting season game retrieval.
- 5) The Brown's Gulch Road (#8517) will be closed from December 2 - May 15 for winter range protection. As in previous years, the closure and hunting season retrieval in the Half Moon Park area will remain in effect from October 15 - December 1.
- 6) The East Fork Dry Creek Road (#8580) will be closed south of the Forest Boundary on BLM land from October 15 - May 15 for winter range protection and big game security.

B. Big Game Security Considerations

- 1) There will be no hunting season game retrieval areas south of the Johnny Gulch Road, on the East Fork Dry Creek Road (#8580), on the Shep's Gulch Road, or in Swamp Creek (Trail #108).
- 2) The upper portion of the Horse Gulch Road on BLM land will be closed about 1/2 mile south of the Forest Service Boundary on a yearlong basis for security and because this is a hazardous section of road. The remainder of the road on BLM land will be open yearlong.

3) The Fescue Spring Road (T7N, R1E, Sec. 25) off Indian Creek Road (#360) will be closed from October 15 - May 15.

4) The Iron Mask Road on BLM lands east of Shep's Gulch will be closed about 1/4 mile east of the Forest Boundary yearlong for security and because this is a hazardous section of road.

5) Motorized access will be allowed from the Brown's Gulch Road to Killian Gulch on BLM lands from May 16 - December 2 to increase hunter access.

C. Motorized Opportunities

1) The popular motorcycle area (500 acres) just south of Radersburg will remain open to cross-country travel with the exception that the small areas immediately above the town of Radersburg and the Radersburg to Keating Gulch Road will be closed. This will address the worst safety concerns.

2) The Willard Creek Road (#4014) will be open for wheeled motorized vehicles to it's junction with the Willard Creek Trail #347 from April 1 - December 1 (instead of the stock unloading facility).

3) Additional access roads to and along the Missouri River in the eastern portion of the Limestone Hills will be open yearlong to provide access to the river for camping and boating.

4) Hunting season game retrieval opportunities will be available along the several routes. These routes will be restricted to motorized use except for the use of a vehicle to retrieve downed game during some portion of the day. These routes include:

- Deadman Spring to Radersburg Pass (#8579)
- Rawhide Creek Trail #73
- Half Moon Park segment of Brown's Gulch Road (#8517)
- Tacoma Gulch (#8539)
- Wood's Gulch (BLM route)
- Lower East Fork Dry (BLM route)
- Bomar Road (Hall Creek to South Fork Crow)(#424-D1)
- South Pole Creek (#491-A1)

5) Motorized trails with no width restrictions will be established on the following system roads to allow for unlicensed vehicle use on roads that have naturally limited speed and which cannot be maintained for passenger vehicles without significant reconstruction.

These routes include:

- On a yearlong basis, the Prickly Pear, Bullock Hill and Tizer Lake roads (#424, 4022).

•From May 16 - December 1, Road #405 from Park Mines down Eureka Ridge to the confluence of the road with Eagle Creek. Also from May 16 - December 1, spur roads on public lands in Eagle Basin (405-L1, 405-R1, 405-P1, 405-M1 and the unnumbered road from road #4031 to Crosscut Spring.

•From May 16 - December 1, Road #621 from Slim Sam Basin to Johnny Gulch; Dahlman Road #1835 on public lands, and Road #621-C, Keating to Bonanza Mine to Two Sam Spring.

● On a yearlong basis, McCarty Creek Trail #74 and Iron Mine road #258.

● On a yearlong basis, the Queen's Gulch Road #8578 from its junction with the Tramway Road (#9366) to the Leslie Lake Trailhead; from May 16 - December 1, the remainder of this road to the Skyline Mine.

● From December 2 - October 15, the Rawhide Creek Trail #73, for vehicles less than 50". This trail is not suitable for full size vehicles. During hunting season (October 15 - December 1), this trail will be closed to motorized travel with allowances for game retrieval vehicles.

● On a yearlong basis, the Mud Springs road #8579, except for the portion of road from Deadman Spring to near Radersburg Pass which will be closed from October 15 - December 1 with allowances for hunting season game retrieval.

6) In order to maintain motorized vehicle access to and within federal lands in the Elkhorn Mountains, numerous road/trail easements are needed. The Decision reflects several "desired" public access opportunities that depend on successful negotiations with private landowners for legal easements. If these negotiations are not successful and/or private road segments are closed, minor adjustments in designated routes may occur to provide alternative public access to federal lands.

D. Winter Recreation Opportunities

1) The motorized winter restriction location on Crow Creek will be at the junction of Slim Sam Road #621, and Crow Creek Road #424, which is approximately one mile from the current location at the Forest Boundary.

2) The motorized winter restriction location on the Indian Creek Road #4031, will be near Elkhorn Spring to allow for parking and turning. This is approximately 2.5 miles from the Forest Boundary where the restriction is currently located.

* 3) The road to the trailhead of Crow Creek Trail #109 (Glendale Butte) will be open yearlong to the end of the road (camping areas/trailhead).

4) The Radersburg Pass Road #8554 will be open to snowmobiles only, from December 2 - May 15.

E. Area Closure Considerations

1) Additional area closures (3500 acres) with designated yearlong open routes will be established in the Keating and Johniny's Gulch area. This will also improve user safety and minimize conflicts between adjacent landowners and OHV users.

F. Soil, Water, Weed, and Safety Considerations

1) Due to the above resource and safety concerns, the Bomar Road (Hall Creek to South Crow; #424-D1) and South Pole Road (#491-A1) will be open to motorized vehicles only for retrieval during the hunting season and otherwise open for nonmotorized uses.

2) The Eureka Ridge road #405-01 and 02, from the top of Eagle Basin to about 1/4 mile north of Eagle Guard Station, will be closed yearlong to motorized vehicles due to the above resource concerns. The trailhead to Trail #112 will be located about 1/4 mile north of Eagle Guard Station.

3) The Kimber Gulch Road #4189 from the Forest Boundary north will be closed yearlong to motorized vehicles due to the above resource and safety concerns, as well as to increase elk security and provide a non-motorized hunting opportunity.

G. User Conflicts

1) There will be no motorized use of trails 113, 114, 130 or 352 in Tizer Basin in order to maintain the high quality, non-motorized recreation activities currently available.

2) The Willard Creek Road #4014, will be closed to motorized use from December 2 - March 31 for cross-country ski use.

3) Designated routes that provide limited access other than to private inholdings in the Helena area, including Rattlesnake, Badger #4012, Brown #4013, Maupin #226-E1 and E2, and unnamed roads #226-C1, F1 and B1, will be closed yearlong to the public.

4) The road to the lookout on Strawberry Butte (#4188) will be closed from October 15 - May 15 to protect the facility during the time of year the lookout is not staffed.

NOTE: Through this Decision Notice, the Helena National Forest Supervisor and the BLM State Director are also making the decisions to amend the Helena Forest Plan (as worded in Helena Amendments 10 and 11 contained in Appendix C of this Decision Notice) and Headwaters Resource Management Plan, respectively.

III. RATIONALE FOR THE DECISION

A. Basic Rationale

Our decision is to modify Alternative 4. We feel this modified Alternative 4 most represents a balance between motorized travel opportunities in the Elkhorns and protection of the resource values. The rationale for each modification from Alternative 4 is tied to a specific resource concern. These are identified and explained in this document.

The most important basis for this Decision was balance. We feel this Decision adequately balances motorized access by providing a reasonable transportation system in the Elkhorns that is consistent across administrative boundaries.

This Decision is consistent with the guidance provided for resource protection in our Land Management Plans (Forest Plans, BLM RMP, State Elk Plan). However, the site specific examination and analysis of travel management (taking into consideration the guidance provided for resource protection in our Land Management Plans) identified the need to develop amendments to the Helena Forest Plan (see Appendix C) and BLM RMP.

We selected Alternative 4, as modified, to provide an adequate number of designated motorized routes (more than Alternatives 1 or 3) while incorporating the mountain range area closure concept.

While Alternative 2 is the least restrictive travel plan relative to motorized uses, the lack of an area closure would result in "new" roads each year in open country which in turn has high resource costs due to noxious weed spread, erosion, and displacement of wildlife.

B. Area Closure

We feel that the mountain range "area closure" (limiting motorized use to designated route) for the mountain range, with limited exceptions as noted in the Decision, was extremely important. The Elkhorns are inherently "open" due to the vegetation and topography; therefore, cross-country travel is common and new roads were being established every year in some areas under the current travel restrictions. Continued increase of the transportation system in the Elkhorns would have a detrimental effect on soil, water, vegetation and wildlife.

C. Motorized Access

In this Decision, we attempted to provide adequate motorized access by: 1) maintaining approximately the existing level of snowmobile opportunities; 2) providing additional motorized retrieval routes during big game hunting season; 3) establishing motorized trails with no width restrictions; 4) maintaining a portion of the Radersburg motorcycle area, and 5) allowing for motorized access to traditional dispersed camping sites.

D. Big Game

The elk resource in the Elkhorns was a consideration in this Decision and we modified Alternative 4 to increase elk security and maintain and enhance winter range areas. However, elk were not the primary focus of this Decision.

With this Decision, there is an increase in elk security of about 5 percent over the mountain range from what it is currently. In addition, we have decreased open road densities in the various elk herd units nearly to Forest Plan standards (see LMP consistency below). We feel this Decision represents the upper level of public or "social" acceptance for restrictions on motorized travel. Therefore, there are limited opportunities in the future for any further increases in elk security through the implementation of road restrictions. For this reason, if the objectives of the State Elk Plan cannot be met in the future, options other than travel management would need to be considered.

We have modified Alternative 4 to be consistent with the Deerlodge and Helena National Forest Plans regarding potential conflicts with snowmobile use on winter range. The Elkhorns provide valuable publicly-owned winter range for big game. The Crow Creek elk herds use the largest contiguous winter range on public land in the Elkhorn Mountains. The effect of snowmobiling through and on these winter ranges was documented on pages IV-19 and 20 of the EA, and includes potential displacement to private lands and decreased winter survival.

Since winter range on public lands is very limited in Montana, we felt strongly that the integrity of all of these winter ranges in the Elkhorns must be protected. In addition, access to private property inholdings within the winter range of the Elkhorns during the winter season is an emerging issue that could have severe impacts to the quality of existing winter range. We expect that the development of private inholdings will increase in the future; therefore, this Decision attempts to compensate for this risk by maintaining and enhancing the integrity of the winter ranges on federal lands in the Elkhorns.

E. Limestone Hills

The National Guard's authority to use the Limestone Hills for military training and the need to close part of the area to the public is an issue separate from and beyond the scope of the Travel Plan analysis. The National Guard use of the Limestone Hills has been authorized since 1958. Their use is currently authorized by a thirty-year right-of-way issued in 1984. It is the BLM's position that the right-of-way is a legitimate authorization for the National Guard's training range and that Congressional action is not required unless an actual withdrawal is made.

The Guard's use of this area is controlled by the right-of-way grant and therefore is not subject to change by this Travel Plan. The entire area is closed to the public (motorized and non-motorized) during training exercises. About 7,000 acres are now closed yearlong due to the safety and liability issues raised from contamination by unexploded ordinances, and is beyond the scope of this Travel Plan. It is unreasonable and extremely expensive to decontaminate an area that is being used as a weapons impact area. There is no option to allow public use in areas contaminated by unexploded ordinances. All National Guard vehicle use is limited to existing roads and trails east of the Old Woman's Grave Road; vehicle use west of this road is restricted to designated routes and specific off-road sites.

F. Cutthroat Habitat

Alternative 4, as modified, deals only with travel restrictions. Therefore, as the EA states, cutthroat trout habitat in McClellan, Lower Dutchman, Muskrat and Staubach creeks will continue to be degraded under any alternative since none of the alternatives proposed closing and rehabilitating these main access routes. However, under the Decision, the area closure will provide the basis for future revegetation of eroding road beds and reduction of the number of new off-road disturbances. Therefore, according to the final Biological Evaluation for this Decision (see project file), Alternative 4, as modified, is expected to result over the long-term in less disturbance of the soils in these drainages and provide a net reduction in sedimentation into cutthroat trout habitats. This Decision will not result in a trend toward federal listing of this species (Biological Evaluation, project file).

G. Motorized Routes within Forest Service Wilderness Study Area

This Decision will reduce the number of miles of motorized routes, open at least seasonally, within the original Elkhorn Wilderness Study Area (WSA). Approximately 23 miles of roads or trails would be available for motorized use within the boundaries of the WSA.

H. Changes in Effects

The effects of the alternatives are disclosed in Chapter IV of the Travel Management Plan EA (pages IV-2 to IV-68). In general, the effects of 'modified Alternative 4 (referred in this discussion as the "Decision") on most resources (soil, water, fish, and wildlife) are less than those described for Alternative 4 and slightly higher in some cases than those described for Alternative 1 (see Tables 1 and 2, this document). However, it should be noted that the Decision has twice as many 'effective' elk winter range acres compared with Alternative 4.

The Decision provides a level of 3-season motorized opportunity consistent with Alternative 4 while still protecting the existing high quality non-motorized opportunities. The Decision does not increase snowmobile opportunity like Alternative 4 because of incompatibility with critical publicly-owned big game winter ranges.

Tables 1 and 2, which follow, display the different features of the alternatives and are intended to help interpret the Decision relative to the other alternatives examined during the analysis.

TABLE 1: SUMMARY COMPARISON OF MANAGEMENT ACTIONS BY ALTERNATIVE

MANAGEMENT ACTIONS	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 4 MOD.
MOTORIZED ROAD SYSTEM					
Miles Open					
(5/16 - 10/14)	259	393	206	292	274
(10/15 - 12/1)	237	388	186	289	262
(12/2 - 5/15)	150	255	110	217	172
MOTORIZED TRAIL SYSTEM *					
Miles Open					
(5/16 - 10/14)	20	16	9	26	60
(10/15 - 12/1)	0	4	0	15	56
(12/2 - 5/15)	12	12	7	12	35
AREAS OPEN TO MOTORIZED					
Acres Open					
(5/16 - 10/14)	9,000	104,630	5,000	9,000	5,500
(10/15 - 12/1)	9,000	104,630	5,000	9,000	5,500
(12/2 - 5/15)	34,900	92,100	5,000	44,060	31,400
AREAS CLOSED YEAR-ROUND					
Acres closed	200,100	109,100	229,500	190,940	203,600
# HUNTER RETRIEVAL AREAS	1	1	1	10	8
MOTORIZED OR NONMOTORIZED ROADS OF MOST CONCERN					
Tizer Lakes Rd. #164	Non-motor	Motorized	Non-motor	Motorized	Mot. Trail
Kimber Gulch Rd #4189	Motor trail	Seasonal	Non-motor	Motorized	Non-motor
Keating Gulch Area	Motorized	Motorized	Non-motor	Motorized	Motorized
Crow Creek Rd #424	Seasonal	Seasonal	Seasonal	Motorized	Seasonal
Indian Creek Rd #360	Seasonal	Seasonal	Seasonal	Motorized	Seasonal
Weasel Creek Rd #405	Seasonal	Seasonal	Seasonal	Motorized	Seasonal
Bullock Hill Rd #4032	Motorized	Motorized	Non-motor	Motorized	Mot. Trail
BPA Road	Seasonal	Seasonal	Seasonal	Seasonal	Seasonal
Queens Gulch (Skyline)	Seasonal	Motorized	Non-motor	Motorized	Seasonal

SUMMARY COMPARISON OF MANAGEMENT ACTIONS BY ALTERNATIVE

MANAGEMENT ACTIONS	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 4 MOD
MOTORIZED OR NONMOTORIZED ROADS OF MOST CONCERN (Cont.)					
Tramway Rd #9366	Seasonal	Motorized	Seasonal	Motorized/ Retrieval	Seasonal
Radersburg Pass Rd #8554	Motorized	Non-motor	Non-motor	Motorized	Snowmobile
Eagle Basin Area	Non-motor	Seasonal	Non-motor	Motorized	Seasonal/Mot. Trails
Prickly Pear Road #164	Motorized	Motorized	Non-motor	Motorized	Mot. Trail
TRAILS OF MOST CONCERN (less than 50' wide)					
Tizer Basin Trails	Non-motor	Non-motor	Non-motor	Motorized	Non-motor
Rawhide Trail #73	Seasonal	Motorized	Non-motor	Motorized/ Retrieval	Motorized/ Retrieval
McCarty Trail #74	Seasonal	Motorized	Seasonal	Motorized	Motorized
Crow Crk (lower part) #109	Non-motor	Motorized	Non-motor	Non-motor	Non-motor
Swamp Creek #108	Non-motor	Motorized	Non-motor	Retrieval	Non-motor

*In Alternative 4-Modified, motorized trails that have no width restrictions are also included in the motorized road system miles since they may be used by full-sized motorized vehicles as well as trail vehicles.

TABLE 2: SUMMARY COMPARISON OF EFFECTS BY ALTERNATIVE

AFFECTED RESOURCE	ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 4 MOD.
SENSITIVE SOILS Miles Acres	98 3,500	144 41,710	76 1,500	106 3,500	95 1,500
WATER QUALITY Rd/trail open in riparian areas	42	51	34	47	47
NOXIOUS WEEDS Miles Open (5/16-12/1) Acres Open (5/16-12/1)	279 9,000	409 104,630	215 5,500	318 9,000	300 5,500
ELK SECURITY % ¹	24.4%	19.6%	26.1%	23.3%	24.2%
WINTER RANGE ² Effective Acres Elk Mule Deer	42,695 13,853	32,335 5,475	44,665 14,133	20,855 10,603	42,695 13,853
YEAR-ROUND RANGE Effective Acres Mountain Goat	15,445	15,050	18,235	15,445	15,445
% OF ROADS MAINTAINED ³	19	12	28	16	18
SENSITIVE PLANT SPECIES ⁴	Moderate	High	Low	Moderate	Moderate
SENSITIVE ANIMAL SPECIES ⁴	Low	Moderate	Low	Low	Low
SNOWMOBILE OPPORTUNITIES ⁴	Medium	Medium	Low	High	Medium
MOTORIZED OPPORTUNITIES ⁴	Low	High	Low	Medium	Medium
NONMOTORIZED OPPORTUNITIES ⁴	Medium	Medium	High	Medium	Medium
MOTORIZED ROUTES WITHIN FS WILDERNESS STUDY AREA	22 mi.	34 mi.	0 mi.	50 mi.	23 mi.

¹ % of herd units providing security.

² Acres of suitable winter range more than 1/2 mile from a motorized route open from 12/1 to 5/15.

³ % based on expected annual maintenance budget.

⁴ Potential effect is a relative comparison among alternatives.

I. LMP Consistency

This Decision also amends the BLM Headwaters RMP in that Management units 7, 8, 9, 10 and 36 will be changed from 'open' to permit consideration for organized motorized events to 'closed' and Management Units 7, 8, 10, 15 and 34 will be reclassified from 'open' to 'restricted' to general motorized travel. These changes and the rationale were described in Chapter 2, page 7 of the Elkhorn Mountains Travel Plan Environmental Assessment.

The Helena Forest Supervisor's decision to sign Helena Amendment No. 10 (see Appendix C) amends the Helena Forest Plan to show that the area will be open to motorized vehicles only in designated areas and/or on designated routes. The amendment was developed based on the resource impacts identified in the Elkhorn Mountains Travel Management Plan Environmental Assessment and by applying the criteria used to establish the Elkhorn Wildlife Management Unit. Those criteria state that; "Vehicular access will be restricted as necessary to maintain wildlife habitat values and to provide seclusion for selected species, particularly within outlined mountain goat and moose habitat areas"; and "Management controls over the use of motorized vehicles will be implemented, whenever necessary to protect the wildlife habitat and other natural resources. This will include the closure and restoration of roads that are under Forest Service control, or that can be placed under Forest Service control, which are not necessary to the use and management of the area." (Helena Forest Plan, Pg. III/78). As stated previously in this Decision Notice, we believe the decision to implement the modified Alternative 4 best represents a balance between motorized travel opportunities and protection of the resource values of the area, including wildlife habitat.

Helena Amendment No. 11 addresses the issue of 'open' road density during the general big game hunting season. The Helena and Deerlodge Forest Plans have standards for hunting season Open Road Density (ORD) that vary inversely with the level of 'hiding cover' for elk herd units or elk analysis areas (see pages III-16 and III-17, EA). Two elk herds on the Helena National Forest portion of the Elkhorns have such low hiding cover (inherently) that the current standard calls for an ORD of less than 0.1 miles per section. Under this decision to implement a modified Alternative 4, the ORD for these herds is decreased from 1.0 miles/section to 0.23 miles/section (Sheep Creek Herd) and from 0.4 miles/section to 0.22 miles/section (Kimber). Further reduction in the ORD's for these herd units would require motorized restrictions on main access roads.

The Helena Forest Supervisor considered the following factors in evaluating amendment No. 11:

- 1) The purpose of the road density limits ("...to at least maintain big game habitat capability and hunting opportunity" and "To provide for a first week bull elk harvest that does not exceed 40% of the total bull harvest", Helena Forest Plan Pg. II/17); 2) the hunting regulations in place for these herd units (only spikes are legal without a permit); 3) the road density reductions which will be accomplished through implementation of modified Alternative 4 and the level of elk security provided under modified Alternative 4; and 4) the professional judgement of the biologists involved in this travel management analysis.

Considering these factors, the Helena Forest Supervisor determined that the road densities in the Sheep Creek and Kimber elk herd units after implementation of modified Alternative 4 would likely be adequate to meet the overlying objectives of the Forest Plan open road density limits. Based on this consideration, Helena Amendment No. 11 amends the hunting season open road densities for the Sheep Creek and Kimber elk herd units to match the densities identified in modified Alternative 4, specifically 0.23 miles/section for the Sheep Creek herd unit and 0.22 miles/section for the Kimber herd unit.

The Deerlodge Forest Plan has 2 elk analysis units. The decision to implement the modified Alternative 4 reduces ORD in the South Elkhorn elk unit from 0.8 miles/section to 0.68 miles/section. The standard in the Deerlodge Forest Plan is 0.65 miles/section. The effects of the 0.03 mile/section difference between the standard and the projected ORD in this herd unit was judged to be essentially undetectable and insignificant in terms of habitat capability, hunting opportunity, and elk security. It is our judgement that the implementation of modified Alternative 4 is consistent with the Deerlodge Forest Plan.

The modified Alternative 4, in conjunction with the amendments discussed in this Decision Notice, is determined to be consistent with the Land Management Plans covering the area.

J. Public Comments

We received a tremendous amount of public comment on this project. Most comments suggested that the analysis provided good coverage of the issues, developed an adequate range of alternatives, and sufficiently documented the affected environment and the effects of the alternatives. There was almost equal support for Alternatives 2 and 3, the existing travel plan and the most restrictive option, respectively. Less support was indicated for Alternative 4 and less still for Alternative 1.

Many people commented about their traditional uses of the Elkhorns -- both from a motorized recreation perspective (eg. driving to Tizer Lakes) and from a non-motorized perspective. The comments revealed that everyone who uses the Elkhorns has a different picture on what mix of motorized and non-motorized opportunities is fair.

From the standpoint that the comments were extremely diverse and often polarized, they were invaluable in providing the framework for this Decision. That framework was "balance". Our analysis of the comments led us to the conclusion that the Decision had to strike a balance between protecting the resource values in the Elkhorns, while still providing enough motorized travel for everyone to be able to enjoy these public lands. We feel Alternative 4, as modified, meets this objective and is consistent with the Purpose and Need for Action (pages I-2 to I-4, EA).

As previously mentioned, the public comments were very diverse. However, there were several areas where the public expressed nearly unanimous support. These included the area closure (motorized vehicles on designated routes) concept and the hunting season retrieval routes concept. Therefore, we incorporated these features as part of the Decision.

We have responded to the comments and concerns expressed during the scoping period on the Environmental Assessment in Appendix B. This includes documentation on how the analysis and this Decision specifically address public comments.

K. Other Considerations

This Decision, which implements area closures consistently across BLM and Forest Service boundaries, along with consistency in signing, will make enforcement more effective (see EA, page IV-29).

There is a considerable mileage of designated routes included in the Decision; therefore, hunters should be able to disperse through the area and avoid concentrations and crowding in most areas.

Since regulations provide for camping within 300 feet either side of designated routes, dispersed camping is provided for in this Decision; this provision also allows motorized access to traditional dispersed camping sites.

This Decision attempts to increase "real" public access to public lands by identifying and prioritizing legal easements needed across private land; these will be part of the implementation plan for the Decision. We also identified routes that provide limited public motorized opportunities since they terminate at private land; these routes are closed to unrestricted public use under this Decision.

This Decision would have a minimum impact on non-recreationist travel (EA, page IV-32 and the Project File).

The costs of road closures, signs, road maintenance and law enforcement to implement the Decision are estimated in the EA, page IV-32 (and in the project file). These costs are within anticipated budgets.

This Decision will result in better winter parking conditions at the "new" gate locations on the Indian and Crow Creek Roads (#4031 and #424).

L. Implementation

We acknowledge that this Decision may displace or modify the activities of some traditional recreation users in the Elkhorns. In addition, we may not be able to reach all the users of the Elkhorns through our traditional public notification program. Therefore, **we will not implement this Decision until the summer of 1996** to provide opportunities for users to adjust and for us to make field contacts.

M. Monitoring and Mitigation

Mitigation measures for this Decision will include "Management Actions Common to all the Alternatives and Management Actions Common to the Action Alternatives" (other than what has been modified in the Decision) (page II-4 to II-7, EA). In addition, Best Management Practices (BMP's) will occur as part of any actions taken to implement this Decision.

Monitoring will occur annually to determine the types and numbers of violations that are occurring (law enforcement) and to determine if the Decision meets the the Purpose and Need as stated in the EA on pages I-2 to I-4.

IV. ALTERNATIVES

Four alternatives were given detailed consideration in this analysis. They are presented in summary form in Tables 1 and 2 for comparison with the modified Alternative 4 or Decision.

The Proposed Action (Alternative 1) was developed based on the Purpose and Need (pages I-2 through I-4, EA). The issues that drove the development of the Alternatives considered in detail in this analysis are documented on pages II-2 and II-3 of the EA. They included motorized recreation opportunities, the integrity of the Elkhorn Wilderness Study Area, and the effectiveness of the existing travel plan. These issues provided the framework for Alternatives 4, 3, and 2, respectively.

Alternative 1 (proposed action) was not selected because it did not fully respond to public concerns and issues (eg. hunting retrieval), particularly in relation to an adequate balance between motorized and non-motorized recreation.

Alternative 2 (no action) was not selected because it was not fully consistent with the Purpose and Need to enhance wildlife habitat, provide for consistent management across administrative boundaries, achieve elk population objectives, reduce soil erosion, and reduce the cost of maintaining roads and trails.

Alternative 3 (environmentally preferred) was not selected because it does not provide an adequate level of motorized access for those individuals with physical disabilities or impairment or for those who enjoy motorized recreational activities.

Alternative 4 (public proposals) was not selected in full because of the potential effects on winter range values and for various other site-specific inconsistencies with the stated Purpose and Need in the EA.

V. ALTERNATIVES NOT CONSIDERED IN DETAIL

Four additional alternatives were originally considered by the analysis team. These were not developed or analyzed for the following reasons:

1. No Motorized Restrictions

One alternative considered eliminating all of the existing restrictions on motorized vehicles on public lands in the Elkhorn Mountains. This alternative was dismissed since it is incompatible with the Forest Plan and RMP direction for the Elkhorn Cooperative Management Area and would not address any of the needs for action.

2. No Motorized Use

The analysis team considered and dismissed an alternative that would remove all motorized use from public managed lands in the Elkhorn Mountains. In addition to being incompatible with Land Management Plans, there are no compelling issues that would necessitate the removal of motorized use in the Elkhorns.

3. More Restrictive Hunting Regulations

The team recognized changes in hunting regulations could facilitate achievement of the State's elk population objectives. Shorter hunting season, hunting by permit only and similar regulations could be implemented to compensate for limited big game security and increased vulnerability of the animals during hunting season. Neither the Forest Service nor the BLM have the authority to determine the timing and duration of hunting seasons, nor the number and type of special permits available for hunting. The Montana Department of Fish, Wildlife and Parks Commission has previously considered the need for these types of regulatory changes and rejected them. The team felt that since this alternative was outside the jurisdiction of the responsible agencies and unacceptable to the Commission, and additionally, this alternative would not address other identified issues, it was not worthy of full development and analysis.

4. Less Restrictive Travel Regulations

Developing regulations that allow more use of lands by motorized vehicles was considered but eliminated from further study because less restrictive regulations would not contribute to the purpose and need stated in Chapter I.

VI. ISSUES, CONCERNS, PUBLIC INVOLVEMENT

The agencies worked throughout this project to interface with the public. From 1991-1993, the agencies worked as equal members in the Elkhorn Coordinated Resource Management (CRM) to try and develop a proposal for Travel Management in the Elkhorns. This effort did not lead to a proposed action.

Additional public participation efforts were undertaken by the agencies prior to development of the Proposed Action. After the agencies reviewed information obtained from the Elkhorn landscape analysis, an interdisciplinary team (IDT) identified tentative opportunities and concerns that they believed should promote the development of a proposed action. Letters were then sent to about 150 agencies, groups and individuals known to be interested in or directly affected by management of the Elkhorns. The purpose of these mailings was to assess public support of the need for change and to gather public input on existing uses, use areas, and travel interests and concerns.

Thirty-two responses were received from this mailing. In addition, a total of five field trips were hosted by the Elkhorn Coordinated Resource Management Group (CRM) from July through September 1993. These field trips highlighted travel concerns and opportunities in various areas of the mountain range.

Formal public involvement began following development of the Proposed Action. A Scoping Statement describing the Proposed Action and Purpose and Need for the Proposed Action, which included a comment sheet, was mailed in February 1994 to about 300 agencies, individuals and groups. In addition, news releases

in community newspapers around the Elkhorns identified the offices where additional "scoping packages" could be obtained. Approximately 500 additional packages were distributed from agency offices.

In addition, agencies made 18 different presentations during the scoping period to provide information on the project to the public. Area newspapers featured articles on the project and two newscasts were aired on KTVH, Channel 12 (Helena).

A total of 224 comment forms and letters were received by March 31, 1994. Each response was analyzed and substantial comments or concerns identified. The findings were then grouped into categories and developed into issue statements. A copy of letters, comment forms and the content analysis documentation is available in the project file at the Forest Supervisor's Office in Helena, Montana and at the BLM District Office in Butte, Montana.

Three major issues were identified. Nine other issues were also identified. These issues are described in the Elkhorn Travel Management Plan Environmental Assessment on pages II-1 to II-3. These issues were used to develop alternatives to the Proposed Action.

The EA for the Elkhorn Mountains Travel Management Plan was mailed to the agencies, organizations and persons on the mailing lists in the project file. The cover letter asked for reviewers to provide written comments on the content of the document. A public notice requesting comments on the document also appeared in the newspaper. In addition, four public meetings were announced and held in towns around the Elkhorn Mountain Range to discuss information contained in the EA. These meetings were held in Townsend, Helena, Three Forks, and Boulder about midway through the comment period of the EA.

Comments were received from 265 groups and individuals including 2 petitions which were signed by 705 and 60 individuals, respectively. The contents of these comments were analyzed and grouped by subject. The ID team provided responses to each comment or groups of similar comments. These comments and responses were used in the decision-making process for this project (see Appendix B). A copy of letters, comment forms and the content analysis documentation is available in the project file at the Forest Supervisor's Office in Helena, Montana and at the BLM District Office in Butte, Montana.

One major issue was identified from analysis of the public comments on the EA; what is the travel plan that best balances ecological needs in the Elkhorn Mountains (soil, water, wildlife, etc.) with social needs and acceptability.

VII. FINDING OF NO SIGNIFICANT IMPACT

A. Context

The setting of the proposal is in a localized area with implications only for the immediate vicinity of the Elkhorn Mountain Range. The geographical area influenced by the environmental issues generated from the proposal (eg livestock allotments) defined the analysis area. In our best judgement, the potential effects would be limited to this area.

The action proposed is a continuation of management practices implemented in the past. The cumulative effects of past management, combined with the current proposal, as displayed in Chapter IV, are the conditions resulting from pre-management and subsequent management activities. Furthermore, Alternative 4, as modified, is consistent with the overall management direction, and standards and guidelines outlined in the Helena and Deerlodge National Forest Plans, and the BLM Headwaters Resource Area Resource Management Plan/Environmental Impact Statement (BLM RMP EIS) with the exception of the amendments described on Page 11.

B. Intensity

Impacts associated with the alternatives are discussed in Chapter II and Chapter IV of the EA. These impacts are within the range of those identified in the Helena and Deerlodge Forest Plan EIS's and the BLM RMP EIS. The Actions would not have significant impacts on other resources identified and described in Chapter III of the EA. Impacts from the selected alternative, as modified, are not unique to this project. Previous projects have had similar activities and non-significant effects. We conclude that the beneficial and adverse effects of the selected alternative, as modified, are not significant in the context of proposed and cumulative effects.

C. Would the proposed action affect public health or safety?

Public health and safety was not identified as an issue during the scoping process. However, during the implementation of Alternative 4, the specific public health and safety requirements will be followed for all management activities. From an Occupation Safety and Health Act (OSHA) standpoint, operations proposed will be conducted in accordance with current requirements to minimize hazards to workers conducting all management activities.

Based upon this information and mitigation measures, we have concluded that the selected alternative, as modified, does not constitute a threat to public health or safety. The project does not involve national defense or security. The EA Chapter IV documents these conclusions.

D. Unique characteristics of the geographic area.

The analysis did not identify any impacts to unique or special geographic areas. Identification of these areas was an outcome of analysis and decisions made during the adoption of the Helena and Deerlodge Forest Plans and the BLM RMP EIS. The selected Alternative 4, as modified, does not affect any roadless area and does not impact any wetlands or farmlands.

The project area is known to contain cultural resources of both the prehistoric and historic periods. Impacts will be mitigated through adherence to the Section 106 process, as detailed in the implementing regulations of the National Historic Preservation Act of 1966, as amended.

Based upon the identification of unique or special areas in the Helena and Deerlodge Forest Plans and the BLM RMP EIS, and the application of appropriate mitigation measures and on-site inventories, we conclude there will be no significant effects on unique or special resource characteristics.

E. To what degree would any effect on the quality of human environment be controversial?

This Environmental Analysis is tiered to the Forest Plans' Environmental Impact Statements and the BLM RMP EIS. Resource-area and Forest-wide effects of Plan's standards were disclosed in those documents. All alternatives with the identified mitigation considered in the EA meet Forest Plan and RMP standards. In addition, extensive scoping was completed during the analysis in order to identify areas of potential controversy. The scoping activities are identified in Chapter II, page 1 of the EA, the Decision Notice, Appendix B of this Decision Notice, and in the project file. Areas of potential controversy were identified as issues. Issues were used to focus on development of alternatives, mitigation measures, and the Environmental Analysis itself.

There has been no information presented to indicate there are any Forest Service or BLM areas of potential controversy that could not be mitigated. We also conclude that it is very unlikely that the environmental effects associated with the action will be highly controversial.

F. Are there any perceivable or highly uncertain effects on the human environment that could involve unique or unknown risks?

This action is similar to many past actions that have occurred in the Elkhorn Mountains. Effects of this action will be similar to the effects of past, similar actions. The Interdisciplinary Team that conducted the analysis used the results of past actions as a frame of reference, and combined that insight with the scientifically accepted analytical techniques and the best available information, to estimate effects of the proposal.

We have not previously encountered any unique or unusual characteristic about this area that would constitute an unknown risk upon the human environment.

G. Would this action establish a precedence for future actions with significant effects, or represent a decision in principle about a future consideration?

Similar actions have occurred in the Elkhorn Mountains. Effects of this project are minor and short-term in nature. Major follow-up actions will not be necessary.

We conclude that this action does not establish precedence for future actions with unknown risks to the environment.

H. Does this action relate to other actions with individually insignificant but cumulative significant impacts.

Chapter IV of the EA discusses the combined effects of the project with other past, present and reasonably foreseeable future actions.

Based on the discussion in the EA as well as information identified during public review of the EA and in the Decision Notice, we have concluded that there are no cumulatively significant impacts.

I. Would this action affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural or historical resources?

This action has no potential to affect historic properties considered eligible for, or listed in, the National Register of Historic Places, nor would it cause loss or destruction of significant scientific cultural or historic resources, EA Chapter IV page 68.

J. To what degree could this action adversely affect an endangered or threatened species or it's habitat, that has been determined to be critical under the Endangered Species Act of 1973?

No impacts to any endangered or threatened species (Bald Eagle, Peregrine Falcon, Northern Rocky Mountain Wolf and Grizzly Bear) or their habitat are foreseen. A Biological Evaluation documenting a 'no effect' finding was completed and is located in the project file at the Helena National Forest Supervisors Office.

Based upon the findings documented in the Biological Evaluation, we conclude that there will be no adverse affect to species or their habitat determined to be critical under the Endangered Species Act (ESA).

K. Does this action violate any federal, state or local laws or requirements for the protection of the environment?

Chapter I - IV documents the analysis for this project, which does not threaten or violate any federal, state or local law imposed for the protection of the environment. This project is consistent with the Helena, and Deerlodge National Forest Plans and the BLM RMP EIS; with the exception of the previously described amendments, the Federal Land Policy Management Act of 1976; and the State Elk Plan.

The National Environmental Policy Act provisions have been followed as required by 40 CFR 1500. The EA analyzed a reasonable range of alternatives, including the required No Action alternative. It also discloses the expected impacts of each alternative and discusses the identified issues and concerns. This document described the Decision we have made and our rationale for this Decision.

This Decision meets all requirements of the Endangered Species Act. There are no known threatened or endangered plants or animals within the project area. The selected alternative complies with the provisions of the National Historic Preservation Act and no Native American religious concerns were identified. Water and air quality standards will be met, and there are no classified flood plains, wetlands, wild and scenic rivers, areas of critical environmental concern, or farm lands within project area. No roadless or wilderness study areas will be negatively affected and no effects for hazardous or solid waste will occur.

VIII. FINDINGS

Based on the above considerations, we have concluded that this project is in compliance with the statutes imposed for the protection of the environment and that this is not a major action that would significantly affect the quality of the human environment or any critical elements. Therefore, an Environmental Impact Statement is not warranted.

IX. APPEAL PROVISIONS AND IMPLEMENTATIONS

Decisions made by the Forest Service are subject to appeal pursuant to 36 CFR 215.7. As stated in 36 CFR 215.11, an appeal may be filed by any person or any non-federal organization or entity that has provided comment or otherwise expressed interest in this proposal by the close of the comment period specified in 36 CFR 215.6. A written appeal must be submitted within 45 days after the date of the notice of this Decision is published in the *Independent Record*, *Helena*, and *Montana Standard*, Butte, Montana.

Appeals are submitted to:

USDA Forest Service, Northern Region
Attn: Appeals Deciding Officer (RFO)
PO Box 7669
Missoula, Montana 59807

An appeal must meet content requirements of 36 CFR 215.14. Detailed records of the Environmental Analysis are available for public review at the Helena Forest Supervisor's Office, 2880 Skyway Drive, Helena, Montana 59601. For further information on this Decision, contact Charlie McKenna at (406) 449-5201 or George Weldon at the Townsend Ranger District at (406) 266-3425.

If no appeal is received, implementation of this Decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

Decisions made by the Bureau of Land Management are also subject to appeal. Within 30 days of receipt of this Decision, you have the right to appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations of 43 CFR, Part 4. If an appeal is taken, you must follow the procedures outlined in the attached Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. The appellant has the burden of showing that the Decision appealed from is in error.

This Decision will become effective at the expiration of the time for filing a Notice of Appeal unless a petition for a stay of Decision is timely filed together with a Notice of Appeal. See 43 CFR 4.21(a). The provisions of 43 CFR 4.21(b) define the standards and procedures for filing a petition to obtain a stay pending appeal.

This Decision also amends the BLM RMP as described under subsection I, on page 11, titled LMP Consistency, and requires the approval of the State Director. This amendment decision is subject to protests, which must be submitted to the BLM Director within 30 days after the date this Decision is published in the *Helena Independent Record* and the *Butte Montana Standard*.

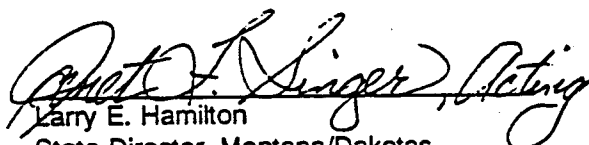
The proposed amendment will become final at the end of the 30-day protest period, providing no protests are received. If the proposed amendment is protested, the implementation will be withheld until final action on the protest has been completed by the BLM Director.

Information that should be included in a protest is as follows:


- 1) The name, mailing address, telephone number, and interest of the person filing the protest.
- 2) A statement of the issue or issues being protested.
- 3) A statement of the part or parts of the amendment being protested.
- 4) A copy of all documents addressing the issue or issues submitted during the planning process by the protesting party or an indication of the discussion date of issue(s) for the record.
- 5) A concise statement explaining why the State Director's decision may be wrong.

Protests should be filed to:

Director, Bureau of Land Management
Resource Planning Team (W0-480)
P.O. Box 65775
Washington, D.C. 20035


Larry E. Hamilton
State Director, Montana/Dakotas
Bureau of Land Management


James R. Owings, District Manager
Butte District
Bureau of Land Management


Alan Christensen
Forest Supervisor
Deerlodge National Forest


Tom Clifford, Forest Supervisor
Helena National Forest

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.
2. WHERE TO FILE
NOTICE OF APPEAL Bureau of Land Management
P.O. Box 3388
Butte, MT 59702-3388

SOLICITOR
ALSO COPY TO U.S. Department of the Interior
Office of the Solicitor
P.O. Box 31394
Billings, MT 59107-1394
3. STATEMENT OF REASONS . . . Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR
ALSO COPY TO SAME AS ABOVE

BLM
Also Copy to Bureau of Land Management
P. O. Box 3388
Butte, MT 59702-3388
4. ADVERSE PARTIES Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).
5. PROOF OF SERVICE Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a))

**Montana Department
of
Fish, Wildlife & Parks**



AUG 07 1995

1400 So. 19th
Bozeman, MT 59715

August 4, 1995

Larry E. Hamilton
Bureau of Land Management
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Billings, MT 59101

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Butte, MT 59703

Tom Clifford
Helena National Forest
2880 Skyway Drive
Helena, MT 59601

Dear Sirs,

The Montana Fish, Wildlife & Parks (FWP) has, as you are aware, been involved in joint management of the Elkhorn Mountains with the Forest Service and the Bureau of Land Management formally since the signing of a Memorandum of Understanding (MOU) in 1992. That MOU defined the Elkhorn Coordinated Resource Management Area (ECRMA) and outlined how the three agencies would work together to manage the resources of the mountain range.

Because of the cooperative nature of this working relationship among the agencies, FWP worked closely with the Forest Service and the Bureau of Land Management in the process of revising the Travel Plan for these public lands. Specifically, FWP provided information on big game species including; population parameters and seasonal distribution of particular species where that information was documented. As the analysis progressed for the Environmental Assessment (EA) FWP reviewed wildlife portions of the EA for accuracy and content. FWP attended public meetings conducted to receive comment on the EA to provide information to the public and

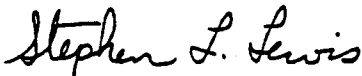
listen to their concerns. FWP feels that this has been an honest attempt by the various agencies to involve the public in the management of their lands.

FWP supports this Decision Notice for several reasons:

- This effort has been an attempt to look at travel management on federally managed lands for the entire mountain range. The comprehensive nature of this analysis will provide consistency in travel management between lands managed by the Forest Service and the Bureau of Land Management.
- FWP feels this Decision Notice provides a balance between the biological needs of wildlife and what is socially acceptable in regards to travel restrictions on public lands.
- Because wildlife use habitats regardless of jurisdictional boundaries, we feel that the comprehensive nature and scope of this analysis/decision provides the framework for maintaining these valuable habitats for wildlife into the future in light of increasing public use of these lands.

The Travel Plan represents a good example of collaboration and partnership between the managing agencies for the benefit of the Elkhorns natural resources and the citizens of Montana.

Sincerely,


Stephen L. Lewis
Regional Supervisor

SLL/kj

c: Bob Martinka
Don Childress

Appendix C

Elkhorn Travel Plan Environmental Analysis

HELENA NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN

AMENDMENT NO. 10

July, 1995

This amendment identifies several language changes in management area direction within the Elkhorn Mountains based on information developed during site specific analysis efforts.

The specific changes are listed below.

On page III/81, delete the paragraph under the Recreation standards section for Management Area Elkhorn-1 and *replace it with the following*:

- Motorized dispersed recreation activities are limited to designated routes and/or areas.

On page III/83, delete the first paragraph under the Facilities standards section for Management Area Elkhorn-1 and *replace it with the following*:

- The public lands in the Elkhorn Mountains are administered under an area closure. Motorized vehicle use is limited to designated routes and/or designated areas. Timing limitations identifying the permitted season of use or daily time of use may also be specified for individual designated routes or areas.

On page III/86, delete the statement "(See Elkhorn Travel Management Direction, Figure III-1.)" from the first paragraph under the Facilities standards section for Management Area Elkhorn-2.

On page III/87, delete the second paragraph under the Recreation standards section for Management Area Elkhorn-3 and *replace it with the following*:

- Motorized dispersed recreation activities are limited to designated routes and/or areas.

On page III/89, delete the first paragraph under the Facilities standards section for Management Area Elkhorn-3 and *replace it with the following*:

- The public lands in the Elkhorn Mountains are administered under an area closure. Motorized vehicle use is limited to designated routes and/or designated areas. Timing

limitations identifying the permitted season of use or daily time of use may also be specified for individual designated routes or areas.

On page III/92, under the Facilities standards section for Management Area Elkhorn-4 *add the following:*

- The public lands in the Elkhorn Mountains are administered under an area closure. Motorized vehicle use is limited to designated routes and/or designated areas. Timing limitations identifying the permitted season of use or daily time of use may also be specified for individual designated routes or areas.

Page III/93, Figure III-1, delete the entire page. The Forest Visitor Map will be used to display the travel management program for the Elkhorn Mountains, as it is for the remainder of the Forest. (see Forest Plan page II/17, item 4 paragraph 2)

***** End of Amendment *****

**HELENA NATIONAL FOREST
LAND AND RESOURCE MANAGEMENT PLAN**

AMENDMENT NO. 11

July, 1995

This amendment identifies an exception to the Forest Plan open road density standards for the Sheep Creek and Kimber Gulch elk herds based on information developed during site specific analysis efforts.

The specific Forest Plan amendment language follows and is to be *added at the end of section 4.a. on Forest Plan Page II/18.*

Based on more detailed site specific analysis, exceptions to the open road density limits listed above have been identified.

Within the Elkhorn Mountain Sheep Creek elk herd unit, roads will be managed during the general big game hunting season to maintain an open road density of no more than 0.23 mi/mi².

Within the Elkhorn Mountain Kimber Gulch elk herd unit, roads will be managed during the general big game hunting season to maintain an open road density of no more than 0.22 mi/mi².

***** End of Amendment *****

ATTACHMENT 1

- Open to motorized use yearlong
- Closed to motorized use 12/2 - 5/15
- Trail open to motorized vehicle May have width restriction

